

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

Application 21439 Permit 14531 License 10558

**ORDER ALLOWING ISSUANCE OF SEPARATE LICENSES
AND REVOCATION OF ORIGINAL LICENSE**

WHEREAS:

1. License 10558 was issued to Joseph Pedretti, Angelina Pedretti, Bruce Marshall and Lillian P. Marshall on December 31, 1975 pursuant to Application 21439 and recorded with the County Recorder of Placer County on January 6, 1976.
2. License 3124 was subsequently assigned to Joseph Pedretti and Lillian P. Marshall.
3. A request for issuance of separate licenses to cover licensee's respective use was filed with the State Water Resources Control Board (SWRCB) by Mrs. Lillian P. Marshall (daughter of licensee) on February 20, 1997.
4. The license condition pertaining to the SWRCB's continuing authority should be replaced with the current version to conform with the Section 780(a), Title 23 of the California Code of Regulations.

NOW, THEREFORE, IT IS ORDERED THAT:

1. License 10558 be replaced by License 10558A issued to Joseph Pedretti and License 10558B issued to Lillian P. Marshall.
2. Superseded Licence 10588 is hereby revoked upon issuance of Licenses 10588A and 10588B.
3. Separate licenses be issued as follows:

A. License 10588A Owner:	(Application 21439A) Joseph Pedretti c/o Lillian P. Marshall 979 Pinole Valley Road Pinole, CA 94564
Source:	Unnamed Spring (AKA Marshall Spring) tributary to Truckee River in Placer County
Use:	Domestic
Amount:	100 gallons per day
Season:	January 1 to December 31
Point of Diversion:	South 1,300 feet and 2,000 feet from NW corner of Section 9, T16N, R16E, MDB&M, being within NE¼ of NW¼ of said Section 9

Place of Use: Lot 75 within NE¼ of NW¼ of Section 9, T16N, R16E, MDB&M, as shown on map on file with the SWRCB

B. License 10588B (Application 21439B)
Owners: Lillian P. Marshall
979 Pinole Valley Road
Pinole, CA 94564

Source: Unnamed Spring (AKA Marshall Spring) tributary to Truckee River in Placer County

Use: Domestic

Amount: 300 gallons per day

Season: January 1 to December 31

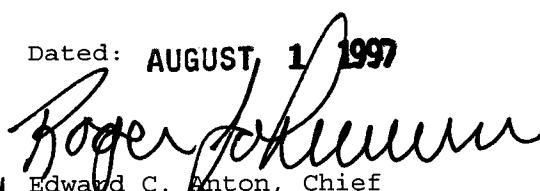
Point of

Diversion: South 1,300 feet and 2,000 feet from NW corner of Section 9, T16N, R16E, MDB&M, being within NE¼ of NW¼ of said Section 9

Place of Use: Lot 75 within NE¼ of NW¼ of Section 9, T16N, R16E, MDB&M, as shown on map on file with the SWRCB

4. Licenses 10588A and 10588B shall contain all other terms and conditions presently in License 10588 or updated terms to reflect present SWRCB policy including replacing the SWRCB's continuing authority terms as contained in Title 23, California Code of Regulations, Section 780(a) versions for compliance with the SWRCB policy.

Dated: AUGUST, 1 1997

for 
Edward C. Anton, Chief
Division of Water Rights



STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

Page 1 of 4

APPLICATION 21439A

PERMIT 14531

LICENSE 10558A

THIS IS TO CERTIFY, That

Joseph Pedretti
c/o Lillian P. Marshall
979 Pinole Valley Road
Pinole, CA 94564

has made proof as of **October 18, 1974** (the date of inspection) to the satisfaction of the State Water Resources Control Board of a right to the use of the waters of
an Unnamed Spring in Placer County

tributary to **an Unnamed Stream thence Truckee River**

for the purpose of **Domestic use**

under Permit **14531** of the Board and that the right to the use of this water has been perfected in accordance with the laws of California, the Regulations of the Board and the permit terms; that the priority of this right dates from **August 22, 1963** and that the amount of water to which this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall not exceed **one hundred (100) gallons per day, to be diverted from January 1 to December 31 of each year.**

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

South 1,300 feet and East 2,000 feet from NW corner of Section 9, T16N, R16E, MDB&M, being within NE¼ of NW¼ of said Section 9.

APPLICATION 21439A

Page 2 of 4

A DESCRIPTION OF THE LANDS OR THE PLACE WHERE
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

Lot 75 within NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 9, T16N, R16E, MDB&M.

6-23-99 Asgd to Diane Margaret Wilsh;


Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: **AUGUST 1 1997**

STATE WATER RESOURCES CONTROL BOARD


for Chief, Division of Water Rights

Licensee shall allow representatives of the State Water Resources Control Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this license.

The quantity of water diverted under this license is subject to modification by the Board if, after notice to the licensee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code.

No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

Pursuant to California Water Code Sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

This continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirement for the authorized project. No action will be taken pursuant to this reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Sec. 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.



STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

Page 1 of 4

APPLICATION 21439B

PERMIT 14531

LICENSE 10558B

THIS IS TO CERTIFY, That

Lillian P. Marshall

979 Pinole Valley Road

Pinole, CA 94564

has made proof as of **October 18, 1974** (the date of inspection) to the satisfaction of the State Water Resources Control Board of a right to the use of the waters of
an Unnamed Spring in Placer County

tributary to **an Unnamed Stream thence Truckee River**

for the purpose of **Domestic use**

under Permit **14531** of the Board and that the right to the use of this water has been perfected in accordance with the laws of California, the Regulations of the Board and the permit terms; that the priority of this right dates from **August 22, 1963** and that the amount of water to which this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated purposes and shall not exceed **three hundred (300) gallons per day**, to be diverted from **January 1 to December 31 of each year**.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

South 1,300 feet and East 2,000 feet from NW corner of Section 9, T16N, R16E, MDB&M, being within NE¼ of NW¼ of said Section 9.

APPLICATION 21439B

Page 2 of 4

A DESCRIPTION OF THE LANDS OR THE PLACE WHERE
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:

Lot 75 within NE¼ of NW¼ of Section 9, T16N, R16E, MDB&M.

Licensee shall allow representatives of the State Water Resources Control Board and other parties, as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this license.

The quantity of water diverted under this license is subject to modification by the Board if, after notice to the licensee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges.

Pursuant to California Water Code Sections 100 and 275 and the common law public trust doctrine, all rights and privileges under this license, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

This continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this license with a view to eliminating waste of water and to meeting the reasonable water requirements of licensee without unreasonable draft on the source. Licensee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this license and to determine accurately water use as against reasonable water requirement for the authorized project. No action will be taken pursuant to this reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the licensee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Sec. 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time to time by the Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.


Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: **AUGUST 1 1997**

STATE WATER RESOURCES CONTROL BOARD


for Chief, Division of Water Rights



STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

License for Diversion and Use of Water

APPLICATION 21439

PERMIT 14531

LICENSE 10558

THIS IS TO CERTIFY, That

JOSEPH PEDRETTI, ANGELINA PEDRETTI, BRUCE MARSHALL
LILLIAN P. MARSHALL
C/O JOSEPH PEDRETTI,
5669 DAM ROAD, EL SOBRANTE, CALIFORNIA 94800

HAVE made proof as of OCTOBER 18, 1974 (the date of inspection)
to the satisfaction of the State Water Resources Control Board of a right to the use of the water of
AN UNNAMED SPRING IN PLACER COUNTY

tributary to AN UNNAMED STREAM THENCE TRUCKEE RIVER

for the purpose of DOMESTIC USE
under Permit 14531 of the Board and that the right to the use of this water has been perfected
in accordance with the laws of California, the Regulations of the Board and the permit terms; that the
priority of this right dates from AUGUST 22, 1963 and that the amount of water to which
this right is entitled and hereby confirmed is limited to the amount actually beneficially used for the stated
purposes and shall not exceed FOUR HUNDRED (400) GALLONS PER DAY, TO BE DIVERTED FROM
JANUARY 1 TO DECEMBER 31 OF EACH YEAR.

THE POINT OF DIVERSION OF SUCH WATER IS LOCATED:

SOUTH 1,300 FEET AND EAST 2,000 FEET FROM NW CORNER OF SECTION 9, T16N, R16E,
MDB&M, BEING WITHIN NE1/4 OF NW1/4 OF SAID SECTION 9.

**A DESCRIPTION OF LANDS OR THE PLACE WHERE
SUCH WATER IS PUT TO BENEFICIAL USE IS AS FOLLOWS:**

LOT 75 WITHIN NE1/4 OF NW1/4 OF SECTION 9, T16N, R16E, MDB&M.

UPON A JUDICIAL DETERMINATION THAT THE PLACE OF USE UNDER THIS LICENSE OR A
PORTION THEREOF IS ENTITLED TO THE USE OF WATER BY RIPARIAN RIGHT, THE RIGHT SO
DETERMINED AND THE RIGHT ACQUIRED UNDER THIS LICENSE SHALL NOT RESULT IN A
COMBINED RIGHT TO THE USE OF WATER IN EXCESS OF THAT WHICH COULD BE CLAIMED UNDER
THE LARGER OF THE TWO RIGHTS.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting